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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/597,754

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Gerardus Marinus Josephus Franciscus Luijks

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

SNYDER, ZACHARY J

ART UNIT

PAPER NUMBER

2889

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/597,754	Applicant(s) LUIJKS, GERARDUS MARINUS JOSEPHUS FRANC	
	Examiner Zachary Snyder	Art Unit 2889	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 6 is objected to because of the following informalities:

Claim 6: "...essentially a spherical shape with preferred diameter of $\geq 400 \mu\text{m}$ and $600 \mu\text{m}$ " should have a less than or equal sign in front of $600 \mu\text{m}$.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 4,968,916 to Davenport et al.

In regard to claim 1, Davenport discloses in figure 2, a lamp (light source 16, COL. 3, LINE 36), whereby the lamp comprises electrodes (electrodes 34 and 36, COL.4, LINE 40) with a cylindrical section (shank portions 44 and 46, COL. 4, LINE 40-41) and a head section (tips 48 and 50, COL. 4, LINE 41).

The method of operation states that the electrodes "are adjusted such that in the initial state during run-up of the lamp under 3.2 A run-up current the average increase of electrode tip

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temperature for the first 25 ms after lighting of the lamp is ≤ 140 K/ms and ≥ 3 K/ms” refers to a method of operating a lamp and can be achieved by a lamp with the structure implied by this claim, that is, a lamp with electrodes, a cylindrical section, and a head section.

In regard to claim 2, Davenport discloses the limitations of claim 1 and that the lamp (light source 16, COL. 3, LINE 36) comprises electrodes (electrodes 34 and 36, COL.4, LINE 40) with a cylindrical section (shank portions 44 and 46, COL. 4, LINE 40-41) and a head section (tips 48 and 50, COL. 4, LINE 41).

The method of operation states that the electrodes “are adjusted such that in the initial state during run-up of the lamp under 3.2 A run-up current the average increase of electrode tip temperature for the first 100 ms after lighting of the lamp is ≤ 50 K/ms and ≥ 3 K/ms” refers to a method of operating a lamp and can be achieved by a lamp with the structure implied by this claim, that is, a lamp with electrodes, a cylindrical section, and a head section.

In regard to claim 3, Davenport discloses the limitations of claim 1 and, in figure 2 and table 2, that the maximum diameter of the head section (tips 48 and 50) is larger than the maximum diameter of the cylindrical section (shanks 44 and 46 have a diameter of 0.127mm to 1.0mm and the tips have a diameter of 0.20mm to 1.27mm).

In regard to claim 4, Davenport discloses the limitations of claim 3 and that the maximum diameter of the cylindrical section (shanks 44 and 46) is between ≥ 150 μ m and ≤ 400 μ m,

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preferably between $\geq 200 \mu\text{m}$ and $\leq 350 \mu\text{m}$ and most preferred between $\geq 250 \mu\text{m}$ and $\leq 300 \mu\text{m}$ (shanks 44 have a diameter of 250 micrometers, table 2).

In regard to claim 5, Davenport discloses the limitations of claim 3 and that the maximum diameter of the head section (tips 48 and 50) is between $\geq 250 \mu\text{m}$ and $\leq 800 \mu\text{m}$, preferably between $\geq 350 \mu\text{m}$ and $\leq 600 \mu\text{m}$ and most preferred between $\geq 400 \mu\text{m}$ and $\leq 450 \mu\text{m}$ (diameter is 400 micrometers, table 2).

In regard to claim 6, Davenport discloses the limitations of claim 3 and that the head section (tips 48 and 50) has an essentially spherical shape (shown in figure 2) with preferred diameter of $\geq 250 \mu\text{m}$ and $\leq 800 \mu\text{m}$ (diameter is 400 micrometers, table 2).

In regard to claim 7, Davenport discloses the limitations of claim 1 and that the maximum diameter of the head section (tips 48 and 50) is of $\geq 20 \mu\text{m}$ and $\leq 250 \mu\text{m}$, preferably of $\geq 50 \mu\text{m}$ and $\leq 150 \mu\text{m}$ larger (diameter of 250 micrometers for the shanks and diameter of 400 micrometers for the tips has a difference of 150 micrometers, table 2) than the maximum diameter of the cylindrical section (shanks 44 and 46).

In regard to claim 8, Davenport discloses the limitations of claim 1 and that the head section (first coil 2b, COL. 20, LINE 48) has a longitudinal length of $\geq 150 \mu\text{m}$ and $\leq 1500 \mu\text{m}$, preferably of $\geq 400 \mu\text{m}$ and $\leq 1200 \mu\text{m}$ (tip has a diameter of 400 micrometers, table 2).

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In regard to claim 9, Davenport discloses the limitations of claim 1 and that the burner chamber (shown into figure 2) is divided into two essentially semi-ellipsoidal sections (A and B) and a third section (C), whereas A covers the volume, which extends from one electrode tip along this electrode to the inner wall section of the burner chamber which contains the electrode; B covers the volume, which extends from the other electrode tip along this electrode to the inner wall section which contains the electrode and section C covers the remaining volume, which is the area between the electrodes (able to be done with this lamp's structure), whereby the sections A and B have essentially the same volume (can be chosen to be that way).

In regard to claim 10, Davenport discloses the limitations of claim 1 and that it has been designed for the usage in one of the following applications:

shop lighting, home lighting, head lamps, accent lighting, spot lighting, theatre lighting, consumer TV applications, fibre-optics applications, car lighting, and projection systems (suited for a headlamp for automotive applications, COL. 2, LINES 50-51).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary Snyder whose telephone number is (571)270-5291. The examiner can normally be reached on Monday through Thursday, 7:30AM to 6PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Toan Ton can be reached on (571)272-2303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Zachary Snyder/
Examiner, Art Unit 2889

/Karabi Guharay/
Primary Examiner, Art Unit 2889